

REMARKS

Claims 2-7, 9-14, 16-23, 25-34, and 36-49 were previously pending in this patent application. Claims 2-7, 9-14, 16-23, 25-34, and 36-49 stand rejected. Herein, Claims 6 and 45-49 have been amended. Accordingly, after this Amendment and Response After Final Action, Claims 2-7, 9-14, 16-23, 25-34, and 36-49 remain pending in this patent application. Further examination and reconsideration in view of the claims, remarks, and arguments set forth below is respectfully requested.

35 U.S.C. Section 103(a) Rejections

Claims 2-4, 7, 11-14, 25-31, 36-41, 45-46, and 48-49 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Rangan, U.S. Patent No. 5,583,994 (hereafter Rangan), in view of Ice, U.S. Patent No. 5,884,031 (hereafter Ice). These rejections are respectfully traversed.

Focusing on Independent Claim 45, it is respectfully submitted that the combination of Rangan and Ice fails to disclose and fails to make obvious all the claim limitations of Independent Claim 45. In particular, Independent Claim 45 is directed to a method and recites the limitation, “sending a content selection whose delivery is requested at a present time to a transmission scheduler,” (emphasis added). That is, the content selection is requested for “on demand” delivery.

In contrast, Rangan describes the problems of multimedia architectures which permit so-called "video-on-demand". (Col. 1, lines 60-67). Specifically, Rangan notes that broadcasting information (e.g., motion pictures, a full library of digitized literature and imagery, encyclopedic data, etc.) on demand to various users at various times around the clock, would stretch and exceed the capacity of current storage and network technology. (Col. 2, lines 1-8). In light of the above identified problems, Rangan states that it is an object of the present invention to provide a multimedia architecture for efficiently delivering video at user-defined times instead of "on demand" delivery. (Col. 2, lines 9-13).

Although the Final Office Action at page 2 cites the passage Col. 3, lines 41-45, of Rangan against the claim limitation of Independent Claim 45 reproduced above, this passage also discloses that particular multimedia programs are selected and the times at which the user wishes to view the particular programs are also selected. Further, the Abstract of Rangan states "delivering multimedia programs to a plurality of users at user-selected times", "caching the programs for retransmission to downstream network servers and/or directly to one or more users at the user-selected transmission times", "scheduler receives the user-selected transmission times", and "the multimedia program is efficiently delivered to each user at the respective user-selected time." Therefore, Rangan fails to disclose sending a content selection whose delivery is requested at a present time to a transmission scheduler, as in Independent Claim 45.

Further, Independent Claim 45 recites the limitation, “after said content selection is sent and in response to instructions from said transmission scheduler, creating a first communication link with a first user device that is receiving and rendering to a first user broadcast information representing said content selection; receiving said broadcast information to render to a user from said first user device via said first communication link,” (emphasis added). That is, a first communication link is created after the content selection is sent and is dependent on the content selection since the first communication link is created with a first user device that is receiving and rendering broadcast information representing the content selection.

At page 3 of the Final Office Action, Ice is cited against this claim limitation of Independent Claim 45. However, Ice describes establishment of a network structure, where a server A sends information from a database of data to be broadcast to clients to which it is directly connected. (Figure 1, Col. 2, lines 8-36). These clients, and those below them, in turn relay the (same) data from one level to another. Id. Moreover, Ice describes server A as including a database (22) holding a list of all clients presently connected to the network structure, with their IP (Internet Protocol) address. (Col. 2, lines 44-54).

Since server A and the clients broadcast the same content, there is no need for server A of Ice to use the database (22) to also keep track of specific content being received by individual clients. In fact, Ice does not describe any circumstance where the content selection of a client is actually considered in

establishing connections with other clients. For example, client X selects content B while client Y selects content D. Ice does not show how client X would receive content B from a client that is listed in database (22) and how client Y would receive content D from a client that is listed in database (22), given that database (22) assumes that all the listed clients receive the same content which may not be either content B or content D. That is, Ice provides no flexibility for handling different content at the same time through the network structure of Figure 1, which is described in detail. By not considering the content selection of a client, Ice fails to disclose after the content selection is sent and in response to instructions from the transmission scheduler, creating a first communication link with a first user device that is receiving and rendering to a first user broadcast information representing the content selection and fails to disclose receiving the broadcast information (representing the content selection) to render to a user from the first user device via the first communication link, as in Independent Claim 45.

As discussed above, the combination of Rangan and Ice fails to disclose and fails to make obvious all the claim limitations of Independent Claim 45. Therefore, it is respectfully submitted that Independent Claim 45 is patentable over the combination of Rangan and Ice and is in condition for allowance.

Dependent Claims 2-4 and 7 are dependent on allowable Independent Claim 45, which is allowable over the combination of Rangan and Ice. Hence, it

is respectfully submitted that Dependent Claims 2-4 and 7 are allowable over the combination of Rangan and Ice for the reasons discussed above.

Since at page 4 of the Final office Action Independent Claims 46 and 48-49 are rejected based on reasons similar to the reasons used to reject Independent Claim 45, it is respectfully submitted that Independent Claims 46 and 48-49 are patentable over the combination of Rangan and Ice and are in condition for allowance for the reasons discussed with respect to Independent Claim 45.

Dependent Claims 11-14, Dependent Claims 25-31, and Dependent Claims 36-41 are dependent on allowable Independent Claims 46 and 48-49, respectively, which are allowable over the combination of Rangan and Ice. Hence, it is respectfully submitted that Dependent Claims 11-14, Dependent Claims 25-31, and Dependent Claims 36-41 are allowable over the combination of Rangan and Ice for the reasons discussed above.

Claims 5-6, 9-10, 16-23, 32-34, 42-44, and 47 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Rangan, U.S. Patent No. 5,583,994 (hereafter Rangan), in view of Ice, U.S. Patent No. 5,884,031 (hereafter Ice), and further view of Slaughter et al., U.S. Patent No. 6,014,669 (hereafter Slaughter). These rejections are respectfully traversed.

Dependent Claims 5-6, 9-10, 32-34, and 42-44 depend from one of Independent Claims 45-46 and 48-49, which are allowable over the combination of Rangan and Ice. Moreover, Slaughter also fails to remedy the deficiencies of Rangan and Ice. Therefore, it is respectfully submitted that Independent Claims 45-46 and 48-49 are patentable over the combination of Rangan, Ice, and Slaughter. Since Dependent Claims 5-6, 9-10, 32-34, and 42-44 depend from one of Independent Claims 45-46 and 48-49, Dependent Claims 5-6, 9-10, 32-34, and 42-44 are also patentable over the combination of Rangan, Ice, and Slaughter for the reasons discussed above.

Since at page 6 of the Final office Action Independent Claim 47 is rejected based on reasons similar to the reasons used to reject Independent Claim 45 and Claim 5 (which depends from Claim 45), it is respectfully submitted that Independent Claim 47 is patentable over the combination of Rangan, Ice, and Slaughter and is in condition for allowance for the reasons discussed with respect to Independent Claim 45 and Claim 5 (which depends from Claim 45).

Dependent Claims 16-23 are dependent on allowable Independent Claim 47, which is allowable over the combination of Rangan, Ice, and Slaughter. Hence, it is respectfully submitted that Dependent Claims 16-23 are allowable over the combination of Rangan, Ice, and Slaughter for the reasons discussed above.

CONCLUSION

It is respectfully submitted that the above claims, arguments and remarks overcome all rejections. All remaining claims (Claims 2-7, 9-14, 16-23, 25-34, and 36-49) are neither anticipated nor obvious in view of the cited references. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 2-7, 9-14, 16-23, 25-34, and 36-49) are in condition for allowance.

The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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